

UNITED STATES DISTRICT COURT
Western District of Arkansas
U.S. Probation / Pretrial Services

Myron Smith
Chief U.S. Probation Officer

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Fayetteville, Arkansas 72701
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July 17, 2008

Honorable Jimm Larry Hendren
Chief U.S. District Judge
John Paul Hammerschmidt Federal Building
35 East Mountain Street, Suite 559
Fayetteville, Arkansas 72701

RE: SUAREZ, Sean
Docket No. 5:07CR50093-001
VIOLATION REPORT

Dear Judge Hendren:

This is to seek the Court's guidance on the above-mentioned case. Sean Suarez was transferred to the Western District of Arkansas pursuant to a Treaty Transfer as outlined in 18 U.S.C. § 4106A(b)(3). Suarez was arrested in Mexico, on March 21, 2006, for Introducing Counterfeit Currency into Mexico. Suarez was sentenced in Mexico to 5 years imprisonment. Suarez was incarcerated in Mexico for about 5 months before being transferred to the United States Bureau of Prisons. After his transfer, the United States Parole Commission recommended Suarez serve a 20 month prison sentence due to the inhumane conditions he endured in the Mexican prison. On August 31, 2007, Suarez was released from BOP custody to serve a 3 year term of supervised release with a special condition of drug testing and/or treatment.

In a letter dated December 12, 2007, the Court was advised that Suarez admitted to using methamphetamine at a party on November 23, 2007. Since that time, Suarez had allegedly been attending AA and NA meetings and had submitted urine samples that tested negative for controlled substances. However, Suarez never provided proof of NA/AA attendance and on February 5, 2008, Suarez submitted a urine sample that tested positive for methamphetamine. Suarez denied having used methamphetamine since November 23, 2007. Suarez further stated that he used marijuana sometime on or around February 13, 2008. Suarez advised that he used the drug because he was having cravings for methamphetamine.

At this time, Suarez was asked if he would like to go into treatment. Suarez advised that treatment would not help him and that he has been to treatment in the past. He further advised that he is addicted to methamphetamine and knows that he will have to fight his addiction on a daily basis for

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the remainder of his life. Suarez was counseled, reminded of his conditions of supervision and placed on code-a-phone.

Since this time, Suarez has not been fully compliant with code-a-phone citing that he didn't think he had to call in any longer due to his case being transferred to USPO Reely from USPO Thompson. He also cited that the code-a-phone answering system was not functioning properly. Contact was made with USPO Kevin Day who advised the system had been functioning without issues.

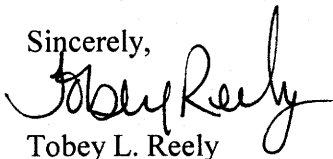
On June 5, 2008, Suarez submitted a urine sample which Kroll Laboratories reported as positive for amphetamine/methamphetamine and marijuana metabolite. Suarez verbally admitted the marijuana use, but denied using methamphetamine. On June 26, 2008, Suarez submitted another urine sample which Kroll Laboratories reported as positive for amphetamine/methamphetamine. Suarez again denied having used methamphetamine. All of the results are attached for the Court's review.

Additionally, on June 24, 2008, Suarez was cited by the Fayetteville Police Department for Speeding and No Seatbelt. On June 29, 2008, Suarez was cited again by the Fayetteville Police Department for Driving While Intoxicated, Reckless Driving, and No Insurance. According to the Fayetteville District Court, Suarez paid a \$30 fine for the No Seatbelt citation and \$130 in fines and cost for the Speeding citation. These dispositions have been attached for the Court's review. He has a arraignment date set for July 28, 2008, for the June 29, 2008, charges. Suarez advised he retained Terry Harper as counsel.

On July 15, 2008, Suarez agreed to and was enrolled in outpatient counseling at Decision Point.

Based on the above information, it is respectfully recommended that a summons be issued for the offender.

Sincerely,

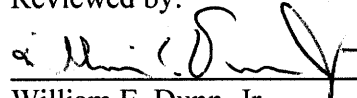


Tobey L. Reely
U.S. Probation Officer

☒ Issue Summons-(12C-Petition Attached)

☐ Other

Reviewed by:



William E. Dunn, Jr.
Supervising U.S. Probation Officer

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

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CHRIS R. JOHNSON, CLERK
BY 
DEPUTY CLERK



Honorable Jimm Larry Hendren
Chief U.S. District Judge

7/21/08
Date